App. F. IX-4

1930-31 File No. 166/30

Previous References
G.7.280-04-13, 22, 58-60 CB
S+A 140-28-142

Serial Nos. 142

Preserve

Later References
S+A 470-30 Sly
S+A 341-31 (1-3)

General and Revenue Secretariat.

Serial Nos. 142

Part B for May 1931

SUBJECT.

Question of extending to the Puisne Judges of the High Court the privilege of becoming eligible to the higher maximum pension of Rs 6000/- per year for a qualifying service of 25 years

---

To The Chief Justice,
High Court of Mysore.
No. 4264/C.B. Dy 7/5/31

Sir,

I have that the proposal to extend to the Judges of the High Court, the privilege of becoming eligible to a higher maximum pension of Rs 6000/- per annum or to the present incumbents, cannot be sanctioned

6179
H

FINANCIAL BRANCH
GEN'L
1 APR 1931
File No.

C393.

App. F. III—2]

General and Revenue Secretariat

of 193

Serial No.

From

The Chief Justice

Dt 28th March 1931.

States that the period of Qualifying Service in the case of the Judges of the High Court may be fixed at 25 years and recommends that, in case it is not possible to decide the question, at least the names of Messrs D. K. Rama Rao & G. Srinivasa Iyer may be included in Appendix A of the Mysore Service Regulations.

7986

Submitted for Orders.

CSR
30/3

To see with compliments for favour of perusal.

CHIEF SECRETARY
31 MAR 1931

Mer
31/3/31

W/S. Fin.

Please put up the p.p. re the inclusion of the name of Mr. R.B. Plumer in Apx. A.

Also the collection containing the G.O. fixing the maximum number of officers on Rs 6000 for 30 years' service.

h
31.3.31.

Very early.

Flag 1.

Submitted with G.F. file no 280 of 04 pp 58 to 60 relating to the abrogation of Article 332 M.S.R. 3rd Edition. At the time the order issued Mr. Plumer was a Brahm

NOTE—Contn. Sheet

WD 02553—50,000—GPB—8-7 30

File No. 6179/2 193 General and Revenue Secretariat

S&A file 140 J 28-1&2 ~~cut~~ Re enhancement of maximum limit of pension from Rs 5000 to Rs 6000/- is also put up as per orders.

8210/9/4

MW 9.4.31 Fl Secy. AD 9.4.31

From the year 1909, Rs 5,000/- per annum has been the maximum limit of pension to all officers in Mysore service other than the Chief Judge of the Chief Court (now Chief Justice of the High Court) and the Members of Council. In issuing the order of 12th May 1909 to this effect, a reservation was made in favour of certain officers to whom the privilege of the higher maximum of Rs 6,000/- for not less than 25 years' qualifying service had been previously offered.

T

Recently, in connection with the representation of the Mysore Civil Service Association for improving the scale of pensions, the question of enhancing the maximum pension of Judges of the Chief Court and the Heads of Departments on pay of Rs 1400/-, from Rs 5,000/- to Rs 6,000/- for not less than 25 years' qualifying service, was considered. Apparently due to financial considerations, Government decided that in the case of officers including the Judges of the Chief Court and Heads of Departments, the higher maximum of Rs 6,000/- should be allowed only for 30 years' completed service, a sliding scale being adopted for service between 25 and 30. Reference is

Serial No.

O & P.

is invited to the First Member's Final Note of 11th December 1928 and also to my note dated 30th October 1928.

In the present financial stress, it is, I think not possible to consider the question of further improving the scale of pension of any class of officers and the ~~xxxxxxx~~ question in the general form in which it has been raised in the letter of the Chief Justice has to lie over.

As regards the grant of the special privilege of inclusion in Appendix A of the M. S. R. to Mr. Justice D.K.Rama Rao and Mr. Justice G. Srinivasa Iyer in particular, I beg to point out that if the request be granted to these two officers it may not be possible to deny the extension of the concession to their successors. It does not also appear to be reasonable to with-hold this concession from officers holding the position of heads of departments on pay of Rs 1,400/-, who may not have put in 30 years' qualifying service.

In my opinion, it is best to deal with the matter as a general question when the financial position is better.

10.4.31

May be considered in Council

First Member ✓

Second Member ✓

Dewan ✓

10/4/31

11.4.31

13-4-31

11-4-31

14/4

DEWAN'S OFFICE 5760 13 APR. 1931

OFFICE OF THE SECOND MEMBER OF COUNCIL 11 APR. 1931 No. 9355

1013

NOTE—Contn. Sheet.

WD 02553—GPB—50,000—8-7-30

2

Subject. -

393.

Question of extending ~~the~~ to the Puisne Judges of the High Court the privilege of becoming eligible to the higher maximum pension of Rs.6000/- per year for a qualifying service of 25 years.

OPINION OF THE COUNCIL.

NOTE
The proposal need not be sanctioned
1/5/31

C.B.
2/5

Submitted with a draft
6/5
Chief Secy.

Issue
6/5

To
The Chief Justice in Mysore
Lr64 /CR 166-31-2 dt 7-5-31.
States that the proposal to extend to the Judges of the High Court, the privilege of becoming eligible to a higher maximum pension of Rs 6000-p.a. or to the present incumbents, cannot be sanctioned

BANGALORE,

Dated 28th March 1931.

CS 166-80-1

CB. 3332

Dear Mr. Madhava Rao,

As the Mysore Civil Service Regulations stand at present, Judges of the High Court other than the Chief Justice, are not entitled to the benefit of Article 328, either as officers specially named in Appendix A, or in virtue of the appointments they hold. Like other unnamed officers of Government they will be eligible after 25 years of completed service to a pension of Rs.5000/- a year and for every additional year's completed service, to an additional sum of Rs.200/- a year, the maximum limit of pension being Rs.6000/- a year under Article 336(b). It appears to me that as the Judges occupy, both in respect of status and emoluments an intermediate position between the Heads of Departments, and Members of Council, the period of qualifying service for the class of pension referred to in Article 328, may, in the case of Judges also, be fixed at 25 years. If, for any reason, it is not possible in the near future to decide the question in the general form in which it is raised, I venture to suggest that Government may be moved to include the names of Mr. Justice D. K. Rama Rao and Mr. Justice G. Srinivasa Iyer in the list of officers named in Appendix A of the Service Regulations, as both these officers will not have put in, on the dates of their superannuation, completed service of 30 years to enable each of them to become eligible for the maximum pension of Rs.6000/- per annum.

Yours Sincerely

N. Madhava Rao, Esq., B.A., B.L.,
Chief Secretary to Government,
Bangalore.

4264/C.S. 166-30-2

77/S/31

Dear Mr. Doraswamy Iyer,

With reference to your D. O. letter dated 28th March 1931 recommending that the privilege of becoming eligible to the higher maximum pension of Rs.6000/- a year after a service of 25 years, may be extended to the Puisne Judges of the High Court, or at least to the present incumbents of these posts, I am desired to state that Government regret they are unable to sanction the proposals.

Yours sincerely,

Rec

To

Rajadharmapravina

C.S.Doraswamy Iyer, Esq., B.A., B.L.,

Chief Justice, High Court of Myso

4264

CS 66-30-2

7th May 1931

Dear Mr. Doraswamy Iyer,

With reference to your D.O. letter dated 28th March 1931 recommending that the privilege of becoming eligible to the higher maximum pension of Rs.6,000/- a year after a service of twentyfive years, may be extended to the Puisne Judges of the High Court, or at least to the present incumbents of these posts, I am desired to state that Government regret they are unable t o sanction the proposal.

Yours sincerely,

RAJADHARMAPRAVINA

C.S. Doraswamy Iyer, Esq., B.A., B.L.,
Chief Justice, High Court of Mysore,
BANGALORE

Fair draft